

**General Docket  
Court of Appeals, 2nd Circuit**

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**Court of Appeals Docket #:** 18-2819

**Docketed:** 09/25/2018  
**Termed:** 02/05/2019

**Nature of Suit:** 2895 STATUTES-FOIA 1974

Whitaker v. Department of Commerce

**Appeal From:** DISTRICT OF VERMONT (RUTLAND)

**Fee Status:** Paid

**Case Type Information:**

- 1) Civil
- 2) United States
- 3) -

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**Originating Court Information:**

**District:** 0210-5 : [17-cv-192](#)

**Trial Judge:** Geoffrey W. Crawford, U.S. District Judge

**Date Filed:** 10/06/2017

<b>Date Order/Judgment:</b>	<b>Date Order/Judgment EOD:</b>	<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>
07/30/2018	07/30/2018	09/24/2018	09/25/2018

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**Prior Cases:**

None

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**Current Cases:**

None

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**Panel Assignment:** Not available

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Stephen Whitaker, all other similarly situated individuals  
Plaintiff - Appellant

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United States Department of Commerce  
Defendant - Appellee

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Stephen Whitaker, all other similarly situated individuals, David Gram, all other similarly situated individuals,

Plaintiffs - Appellants,

v.

United States Department of Commerce,

Defendant - Appellee.

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09/25/ 2018	<a href="#">1</a> 10 pg, 242.54 KB	NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellants David Gram and Stephen Whitaker, FILED. [2397263] [18-2819] [Entered: 09/26/2018 11:09 AM]
09/25/ 2018	<a href="#">2</a> 11 pg, 156.45 KB	DISTRICT COURT DECISION, dated 07/27/2018, RECEIVED.[2397273] [18-2819] [Entered: 09/26/2018 11:17 AM]
09/25/ 2018	<a href="#">3</a> 2 pg, 207.32 KB	DISTRICT COURT JUDGMENT, dated 07/30/2018, RECEIVED.[2397276] [18-2819] [Entered: 09/26/2018 11:18 AM]
09/25/ 2018	6	PAYMENT OF DOCKETING FEE, on behalf of Appellants David Gram and Stephen Whitaker, district court receipt # 4682019568, FILED.[2398135] [18-2819] [Entered: 09/27/2018 10:12 AM]
09/26/ 2018	<a href="#">4</a> 1 pg, 63.81 KB	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellee United States Department of Commerce, FILED. Service date 09/26/2018 by CM/ECF. [2397547] [18-2819] [Entered: 09/26/2018 01:34 PM]
09/26/ 2018	5	ATTORNEY, Nikolas P. Kerest for United States Department of Commerce, in case 18-2819, <a href="#">[4]</a> , ADDED.[2397643] [18-2819] [Entered: 09/26/2018 02:32 PM]
10/02/ 2018	<a href="#">7</a> 9 pg, 205.18 KB	ELECTRONIC INDEX, in lieu of record, FILED.[2401638] [18-2819] [Entered: 10/02/2018 02:17 PM]
10/15/ 2018	8	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellee United States Department of Commerce, FILED. Service date 10/15/2018 by CM/ECF. [2410456] [18-2819] [Entered: 10/15/2018 04:00 PM]
10/15/ 2018	<a href="#">9</a> 2 pg, 17.53 KB	DEFECTIVE DOCUMENT, NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, <a href="#">[8]</a> , on behalf of Appellee United States Department of Commerce, FILED.[2410643] [18-2819] [Entered: 10/15/2018 05:21 PM]
10/23/ 2018	10	ATTORNEY, Kel McClanahan, <a href="#">[1]</a> , in place of attorney Robert Appel, SUBSTITUTED.[2416678] [18-2819] [Entered: 10/23/2018 03:48 PM]
10/24/ 2018	<a href="#">11</a> 1 pg, 37.51 KB	NOTICE OF APPEARANCE AS SUBSTITUTE COUNSEL, on behalf of Appellee United States Department of Commerce, FILED. Service date 10/24/2018 by CM/ECF. [2417303] [18-2819] [Entered: 10/24/2018 12:16 PM]
10/24/ 2018	<a href="#">12</a> 1 pg, 105.33 KB	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellant David Gram and Stephen Whitaker, FILED. Service date 10/24/2018 by CM/ECF.[2417400] [18-2819] [Entered: 10/24/2018 12:47 PM]
10/24/ 2018	<a href="#">13</a> 3 pg, 158 KB	MOTION, to extend time to file C & D, on behalf of Appellant David Gram and Stephen Whitaker, FILED. Service date 10/24/2018 by CM/ECF. [2417721] [18-2819] [Entered: 10/24/2018 04:05 PM]
10/26/ 2018	14	ATTORNEY, Laura Myron, <a href="#">[11]</a> , in place of attorney Nikolas P. Kerest, SUBSTITUTED.[2419315] [18-2819] [Entered: 10/26/2018 11:09 AM]
10/30/ 2018	<a href="#">18</a> 1 pg, 60.46 KB	MOTION ORDER, granting motion for extension of time to file Forms C and D until 11/02/2018, by CFD, FILED. [2421224][18] [18-2819] [Entered: 10/30/2018 09:27 AM]
11/02/	<a href="#">19</a>	FORM C, on behalf of Appellant David Gram and Stephen Whitaker, FILED. Service date

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2018	40 pg, 732.05 KB	11/02/2018 by CM/ECF.[2425464] [18-2819] [Entered: 11/02/2018 09:20 PM]
11/02/2018	<u><a href="#">20</a></u> 1 pg, 139.79 KB	FORM D, on behalf of Appellant David Gram and Stephen Whitaker, FILED. Service date 11/02/2018 by CM/ECF.[2425465] [18-2819] [Entered: 11/02/2018 09:21 PM]
11/08/2018	<u><a href="#">29</a></u> 1 pg, 6.59 KB	NEW CASE MANAGER, Elizabeth Munoz, ASSIGNED.[2430110] [18-2819] [Entered: 11/08/2018 05:38 PM]
11/18/2018	<u><a href="#">31</a></u> 1 pg, 63.06 KB	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellee United States Department of Commerce, FILED. Service date 11/18/2018 by CM/ECF. [2436463] [18-2819] [Entered: 11/18/2018 08:31 PM]
11/20/2018	32	ATTORNEY, Nikolas P. Kerest for United States Department of Commerce, in case 18-2819 , <a href="#">[31]</a> , ADDED.[2437717] [18-2819] [Entered: 11/20/2018 10:08 AM]
11/20/2018	<u><a href="#">33</a></u> 1 pg, 35.6 KB	LR 31.2 SCHEDULING NOTIFICATION, on behalf of Appellant David Gram and Stephen Whitaker, informing Court of proposed due date 02/01/2019, RECEIVED. Service date 11/20/2018 by CM/ECF.[2439049] [18-2819] [Entered: 11/20/2018 08:54 PM]
11/26/2018	<u><a href="#">35</a></u> 1 pg, 37.14 KB	SO-ORDERED SCHEDULING NOTIFICATION, setting Appellant David Gram and Stephen Whitaker Brief due date as 02/01/2019. Joint Appendix due date as 02/01/2019, FILED. [2440834] [18-2819] [Entered: 11/26/2018 10:40 AM]
01/30/2019	<u><a href="#">36</a></u> 3 pg, 143.28 KB	MOTION, to extend time, on behalf of Appellant David Gram and Stephen Whitaker, FILED. Service date 01/30/2019 by CM/ECF. [2485996] [18-2819] [Entered: 01/30/2019 05:30 PM]
02/05/2019	40	ORDER, <a href="#">[35]</a> appeal dismissed for Appellant David Gram and Stephen Whitaker failure to file brief and appendix, EFFECTIVE.[2489172] [18-2819] [Entered: 02/05/2019 09:41 AM]
02/05/2019	<u><a href="#">43</a></u> 1 pg, 60.38 KB	MOTION ORDER, denying as moot motion to extend time <a href="#">[36]</a> filed by Appellant Stephen Whitaker and David Gram, FILED. [2489368][43] [18-2819] [Entered: 02/05/2019 10:51 AM]

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